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2 **REMARKS**

3 Applicant respectfully requests reconsideration and allowance of the
4 subject application. Applicant herein withdraws claims 41-43 from prosecution
5 responsive to the restriction contained in the 7/24/07 Office Action. Restricted
6 claims 33, 34 and 45 are cancelled herein. Applicant believes this communication
7 to be fully responsive to all of the issues raised in the 7/24/07 Office Action.

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9 **Examiner Interview**

10 Applicant conducted a telephone interview with Examiner Savage on
11 October 2, 2007. The rejections were discussed. Potential claim amendments
12 were also discussed. Examiner Savage indicated that the discussed claim
13 amendments (reflected in this communication) appeared to overcome the art of
14 record and as such appeared to be allowable.

15 Applicant thanks Examiner Savage for taking the time to discuss the
16 prosecution of this application with Applicant.

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18 **§103 Rejections**

19 Claims 1, 2, 4, 5, 9, 10, 13, 35-40, 44, 46, and 47 stand rejected under 35
20 U.S.C. §103 as being unpatentable over U.S. Patent No. 6,132,623 to Nikolaidis et
21 al. (hereinafter "Nikolaidis") in view of U.S. Patent No. 4,842,744 to Schade
22 (hereinafter "Schade").

23 Claims 1, 2, 4, 5, 13, 39, 40, 44, 46, and 47 are cancelled herein without
24 prejudice.
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1 **Claim 9** is amended and presently recites features that are not taught or
2 suggested by the art of record. For instance, amended claim 9 recites “a reactive
3 filtration method, comprising continuously regenerating an iron oxide coated sand
4 bed *under aerobic conditions* while simultaneously filtering contaminants from
5 waste water flowing through the sand bed” which is not taught or suggested by the
6 art of record.

7 **Claims 10 and 35-38** depend from claim 9 and are allowable at least for
8 the reasons described above in relation to claim 9.

9 **Claims 49-50** depend from claim 9 and are similar to cancelled claims 11
10 and 12, respectively, which were directed to a non-elected species. Applicant
11 submits that claims 49-50 are properly presented for prosecution based upon the
12 allowability of generic claim 9.

13 **New claim 48** recites features that are not taught or suggested by the art of
14 record. For instance, claim 48 recites:

- 15 • introducing iron oxide into water supplied to a moving bed media
16 filter effective to precipitate contaminants from the water and to
17 form iron oxide coated media surfaces in the media bed;
- 18 • simultaneously filtering the precipitated contaminants with the sand
19 and sorbing other contaminants to the iron oxide coated sand
20 surfaces;
- 21 • abrading sorbed contaminant-iron solids from the surfaces;
- 22 • separating the precipitated and sorbed contaminants from the media;
- 23 and,
- 24
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- continuously introducing additional iron oxide to the media bed sufficient to regenerate the iron oxide coated media surfaces.

New claim 52 recites features that are not taught or suggested by the art of record. For instance, claim 48 is directed to a system and recites:

- a media bed;
- a mechanism for removing media from a lower portion of the media bed and abrading iron oxide-contaminant solids from media surfaces while recycling the media to an upper portion of the media bed; and,
- a mechanism for introducing water containing contaminants and iron oxides into an intermediate portion of the media bed so that the water flows upwardly through the media bed and emerges through the upper portion effective that iron oxide concentrations are highest proximate the intermediate portion and approach background levels as the water emerges from the upper portion effective that a majority of the media surfaces are exposed to iron oxides as the media approaches the intermediate portion.

The Double-Patenting Rejection

Claims 1, 2, 4, 5, 9, 10 and 13 are rejected on the grounds of non-statutory double patenting over claims 8 and 10 of U.S. Patent Application Serial No. 11/171,002.

While Applicant is willing to consider filing a terminal disclaimer if necessary, Applicant respectfully requests that these rejections be held in abeyance until the indication of allowable subject matter.

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3 Conclusion

4 All of the claims are in condition for allowance. Accordingly, Applicant
5 requests a Notice of Allowability be issued forthwith.
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7 Respectfully Submitted,

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